

Date Mailed
December 15, 1999

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Complaint of AT&T Communications of Wisconsin, Inc., and MCI
Telecommunications Corporation and WorldCom Technologies, Inc.,
Against Century Telephone Enterprises and CenturyTel
of the Midwest-Kendall, Inc. Regarding Access Charges
(previously noticed as 2815-TI-101 and 2815-TI-102)

2815-TI-101

NOTICE OF HEARING

Hearing Date:	Wednesday, January 5, 2000 – 9:30 a.m.
Hearing Location:	Public Service Commission, 610 North Whitney Way, Madison, Wisconsin

AT&T Communications of Wisconsin, Inc. (AT&T), MCI Telecommunications Corporation, and WorldCom Technologies, Inc. (together, MCI), filed complaints with the Commission, on March 4 and May 20, 1999, respectively, alleging that Century Telephone Enterprises (CTE) and CenturyTel of the Midwest -Kendall (Kendall) improperly increased access rates at nineteen exchanges¹ purchased from Wisconsin Bell, Inc., effective December 1, 1998. As a result of its informal investigation of this matter, Commission staff has similar concerns about CTE and Kendall's access rate changes.

The Commission has authority to investigate this matter pursuant to Wis. Stat. §§ 196.02(1), 196.219 (4)(a), 196.28(1), and 196.37. The Commission seeks to determine whether CTE and Kendall, are in violation of one or more of the following Wisconsin statutes: 196.19, 196.20(2m), 196.219(2m), 196.22, and 196.37.

A prehearing conference was held in this proceeding on August 24, 1999, at which time a schedule for hearing and the filing of testimony was established. The schedule was subsequently modified with respect to the dates for the filing of prepared testimony.

¹ The nineteen exchanges are: Ashland, Baraboo, Bayfield, Berlin, Cornell, Green Lake, Hurley, Ladysmith, Marinette, Mazomanie, North Freedom, Oconto, Oconto Falls, Peshtigo, Princeton, Redgranite, Stanley, Superior and Washburn.

This is a Class 2 proceeding, as defined in Wis. Stat. § 227.01(3)(a). The administrative law judge is Jeffry J. Patzke. The administrative law judge will render a proposed decision, pursuant to Wis. Stat. § 227.46(2).

The parties are AT&T and MCI (Complainants), CTE and Kendall (Respondents), and Commission staff. The issues agreed upon at the prehearing conference are:

1. Did Kendall increase rates for access services in the 19 exchanges Kendall purchased from Wisconsin Bell, Inc., following that purchase? This includes an analysis of the tariff filing itself and the appropriateness of that filing under the statutes which allow tariff filings for rate changes.
2. If rates were increased, was that increase lawful?
3. (a) If the rate increase was not lawful, is a refund due and under what authority? (b) To whom should the refunds be made?
4. If the rate increase was not lawful, is respondent liable to complainant for treble damages under Wis. Stats. §196.64?
5. If the rate increase was not lawful, should forfeitures be sought for respondent's violations? If so, under what statutory authority?

NOTICE IS GIVEN that a hearing will be held on Wednesday, January 5, 2000, beginning at 9:30 a.m. in the Amnicon Falls Hearing Room at the Public Service Commission Building, 610 North Whitney Way, Madison, Wisconsin. This building is accessible to people in wheelchairs through the Whitney Way first floor (lobby) entrance. Parking for people with disabilities is available on the south side of the building.

The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this proceeding or who needs to get this document in a different format should contact Administrative Law Judge Patzke at (608) 266-7165.

Dated at Madison, Wisconsin, _____

By the Commission,

Lynda L. Dorr
Secretary to the Commission

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